MINNESOTA BOARD OF PHARMACY

SEVEN HUNDRED AND FORTY-SIXTH MEETING

At approximately 9:30 a.m., April 24, 2002, the Minnesota Board of Pharmacy met in Conference Room A, at the University Park Plaza Building, 2829 University Avenue SE, Minneapolis, Minnesota, for the purpose of conducting a general business meeting. All members of the Board were in attendance. Also in attendance was the Board's Executive Director, Mr. David Holmstrom, and the Board's Legal Counsel, Mr. Robert Holley.

After reviewing, amending and approving the agenda for this meeting, the Board addressed the minutes of the meeting of March 20, 2002. Ms. Carol Peterson moved and Mr. Tom Dickson seconded that the minutes be approved as written. The motion passed.

Went into a closed session to discuss matters of a quasi-judicial nature. Mr. Holley first presented the Board with a proposed stipulation and order in the matter of <u>Pharmacist Daniel B. Astrup</u>. Mr. Astrup is currently on probation with the Board, as a result of issues related to drug diversion and chemical dependency. As a result of new allegations of drug diversion and chemical dependency, Mr. Astrup, without the necessity of a disciplinary hearing, has agreed to surrender his license to practice pharmacy and has signed a proposed stipulation and order acknowledging and implementing the surrender of his license.

Mr. Chuck Cooper then moved and Ms. Betty Johnson seconded that the Board approve the proposed stipulation and order and that Mr. Holmstrom be directed to sign the stipulation and order on the Board's behalf. The motion passed.

Mr. Holley next reported to the Board on two more cases of pharmacist revocations due to tax delinquencies. Mr. Holley indicated that he would be immediately preparing documents for signing by Mr. Holmstrom implementing the revocations. The pharmacists being revoked under Minnesota Statutes 270.72, relating to overdue tax liabilities, are Ms. Jacquelyn L. Melhus and Mr. Douglas J. Darling.

Mr. Holmstrom and Mr. Holley next provided the Board with information relating to two requests for accommodation under the Americans with Disabilities Act for the upcoming June 2002 Board exam.

The Board now returned to open session.

The Board next turned its attention to applications to conduct new pharmacies, which it has received since its last meeting. The first such application was submitted on behalf of Fairview Oxboro Pharmacy, in Bloomington, Minnesota, by Mr. Gary Gustafson, Pharmacist-in-charge. After carefully reviewing this application and a diagram of the proposed pharmacy, Mr. Gary Schneider moved and Mr. Chuck Cooper seconded that the application be approved and a license issued subject to the successful completion of an on-site inspection by a member of the Board's staff to assure compliance with pharmacy Board rules dealing with licensure. The motion passed.

The second application to conduct a new pharmacy to be reviewed by the Board was submitted on behalf of Owatonna Clinic Pharmacy, in Owatonna, Minnesota, by Ms. Teresa Price, Pharmacist-in-charge. After carefully reviewing this application and a diagram of the proposed pharmacy, Ms. Betty Johnson moved and Mr. Chuck Cooper seconded that the application be approved and a license issued subject to the submission of variances relating to the space of the pharmacy and to the minimum required equipment, and subject also to the successful completion of an on-site inspection by a member of the Board's staff to assure compliance with pharmacy Board rules dealing with licensure. The motion passed.

The third application to conduct a new pharmacy to be reviewed by the Board was submitted on behalf of <u>Preferred Choice Pharmacy</u>, in <u>New Brighton</u>, <u>Minnesota</u>, <u>by Ms. Sandra Smilanich</u>, <u>Pharmacist-in-charge</u>. After carefully reviewing this application and a diagram of the proposed pharmacy, Mr. Tom Dickson moved and Mr. Gary Schneider seconded that the application be approved and a license issued subject to the successful completion of an on-site inspection by a member of the Board's staff to assure compliance with pharmacy Board rules dealing with licensure. The motion passed.

The fourth application to conduct a new pharmacy to be reviewed by the Board was submitted on behalf of Snyder Drug, in Savage, Minnesota, by Mr. Jerry Edwards, Pharmacistin-charge. After carefully reviewing this application and a diagram of the proposed pharmacy, Mr. Chuck Cooper moved and Ms. Carol Peterson seconded that the application be approved and a license issued subject to the naming of a permanent pharmacist-in-charge for the pharmacy, and subject also to the successful completion of an on-site inspection by a member of the Board's staff, with special attention being paid to the adequacy of the patient counseling area, to assure compliance with pharmacy Board rules dealing with licensure. The motion passed.

The final application to conduct a new pharmacy to be reviewed by the Board was submitted on behalf of Walgreens Pharmacy, in Cottage Grove, Minnesota, by Mr. Greg Schuur, Pharmacist-in-charge. After carefully reviewing this application and a diagram of the proposed pharmacy, Ms. Carol Peterson moved and Mr. Chuck Cooper seconded that the application be approved and a license issued subject to the successful completion of an on-site inspection by a member of the Board's staff to assure compliance with pharmacy Board rules dealing with licensure. The motion passed.

At this time, <u>Ms. Audrey Neeley, Ms. Kelly Beaudoin, Ms. Michelle Aytay, and Mr. Mike Simko</u>, all from Walgreens, appeared before the Board to discuss a pilot project involving centralized certification of prescription orders.

Walgreen's pharmacies, all of which involve 24-hour a day services. The pilot study would be conducted between 10:00 p.m. and 8:00 a.m. during periods of low prescription volume.

The study involves closed circuit TV linkage between the pharmacies and handsets for communication between pharmacists at a central site and patients at a remote site. Pharmacists would be on duty at all sites at all times.

The pilot project involves pharmacy technicians, at remote sites, preparing prescriptions for checking by a pharmacist and, rather than having the prescriptions checked by the pharmacist who is also at the remote site, the technician would connect visually and by computer, with the pharmacist at the central site, who would review the technicians work and certify the prescription for accuracy. The pharmacist at the central site could then conduct patient counseling of the patient at the remote site through video and audio linkages. The initials of the pharmacist at the central site would then be on record as having certified the accuracy of a prescription prepared and filled at the remote site.

After a lengthy discussion of the pilot project proposal, the Board determined that variances are required relating to the supervision and certification of technician work and relating to the certification of the accuracy of prescriptions. Further consideration of the pilot project proposal was then tabled pending development, submission, and approval of the variances.

The Board next turned its attention to reports of its standing committees.

The Continuing Education Advisory Task Force did not meet since the last meeting of the Board and, thus, has no report.

On behalf of the Examination Committee, Mr. Holmstrom requested guidance from the Board on the reinstatement candidates who, upon being required to pass the Board's Practical Examination, failed the examination. The issue is whether those reinstatement candidates should be required to pay the normal examination fee, in order to retake the Practical Exam. After a brief discussion of the issue, the Board took the position that reinstatement candidates, just like candidates for original licensure, are required to pay the examination fee each time they take the exam.

Mr. Holmstrom next presented the Board with scores for candidates for licensure by reciprocity that have taken the Reciprocity/Jurisprudence Examination since the Board's last meeting. After a thorough review of the performance of the candidates for licensure by reciprocity, Ms. Carol Peterson moved and Mr. Gary Schneider seconded that, having passed the Jurisprudence Examination required of candidates for licensure by reciprocity, the following candidates be granted such licensure based on their current license to practice in the state listed with their name:

CERTIFICATE #	NAME	STATE OF ORIGINAL LICENSURE
8025	Taci Patricia Ball	IL
8026	Michael James Niebaum	WY
8027	Cheryl Ann Waples	IA
8028	Ada Judith Hedin	NJ

Mr. Holmstrom next presented to the Board a letter from Mr. Freeman Mjolsness, a retired pharmacist from North Dakota, who is requesting the opportunity to obtain licensure in Minnesota by reciprocity without taking the Practical Examination, which is normally required of pharmacists who have not been engaged in pharmacy practice during the past two years. After discussing Mr. Mjolsness' request, Ms. Jean Lemberg moved and Mr. Tom Dickson seconded that the Board deny Mr. Mjolsness' request to be exempted from taking the Practical Examination. The motion passed.

Mr. Holmstrom next presented to the Board a letter from Ms. Renee Day, a pharmacist from Wisconsin, who is requesting that the Board grant her an opportunity to obtain licensure in Minnesota by reciprocity without the necessity of taking the Board's Practical Examination, as is normally required of individuals who have not been actively engaged in pharmacy practice within the last two years. Again, Ms. Jean Lemberg moved and Mr. Tom Dickson seconded that Ms. Day's request be denied and that she be required to take the Practical Examination as part of her request for licensure by reciprocity. The motion passed.

Mr. Holmstrom next presented to the Board a letter from Mr. Joshua Welborn, a pharmacist from Washington, who is seeking the opportunity to become licensed in Minnesota by reciprocity in September of 2002, even though he will not have been licensed for one full year until December of 2002. After discussing Mr. Welborn's request and reviewing the supporting documents submitted by Mr. Welborn, Mr. Chuck Cooper moved and Ms. Carol Peterson seconded that the Board accept Mr. Welborn's application for reciprocity not earlier than September 1, 2002. The motion passed.

Mr. Holmstrom next provided the Board with a summary of the activities of the Internship Committee. No formal action by the Board was required.

Mr. Holmstrom next provided the Board with information relating to the Rules and Legislation Committee. No formal action by the Board was required.

Mr. Holmstrom next provided the Board with a report from the Variance Committee and variance requests, both new and extension requests that were reviewed since the last meeting of the Board. Upon reviewing the list prepared by the Variance Committee, Ms. Betty Johnson moved and Mr. Gary Schneider seconded that the Board approve the Variance Committee report and grant the variances recommended for approval by the Variance Committee and deny those variances recommended for denial by the Variance Committee. The motion passed.

Mr. Holmstrom next provided the Board a list of pharmacists who have not renewed their licenses to practice for the years 2000, 2001, and 2002, and who are eligible to be dropped from the roles of licensed pharmacists in Minnesota. After reviewing the list of pharmacists, Mr. Tom Dickson moved and Ms. Carol Peterson seconded that the pharmacists whose names appear on the list attached to these minutes be dropped as licensed pharmacists in Minnesota. The motion passed.

Mr. Holmstrom next presented the Board with a description of the circumstances necessitating a change in the proposed date for the June 2003 Board exam and Board meeting. Because of the difficulty in obtaining confirmation of graduation of candidates for licensure,

when the Board exam is given early in June, the Board changed the examination date in 2003 from June 3rd to June 10th, with the Board meeting to be held June 11th. A revised list of the tentative meeting dates from June of 2002 through June of 2003 is as follows:

June 4, 2002	Board Examination	Convention Center
June 5, 2002	Board Meeting	Conference Room A
July 31, 2002	Board Meeting	Conference Room A
August 15-17, 2002	District V	Fargo
September 18, 2002	Business Meeting	Conference Room A
October 23, 2002	Business Meeting	University Room
December 4, 2002	Business Meeting	Conference Room A
January 14, 2003	Board Examination	Convention Center
January 15, 2003	Board Meeting	Conference Room A
June 10, 2003	Board Exam	Convention Center
June 11, 2003	Board Meeting	Conference Room A

Mr. Holmstrom next presented the Board a letter from Mr. David Busch, pharmacist-incharge at Chronimed Pharmacy regarding an issue relating to the transfer of prescriptions to other pharmacies. After discussing Mr. Busch's letter and request, the Board referred the matter to the Variance Committee for discussion and a potential variance.

President Kassekert next led a discussion on <u>continuous quantity improvement issues</u>, including the use of automated dispensing machines. At the conclusion of the discussion, the Board directed Mr. Holmstrom to prepare an article for an upcoming Board newsletter relating to MN Rule 6800.2400, item j.

Mr. Chuck Cooper next led a discussion of the issues surrounding the <u>proper disposal of various medications</u> that might be considered toxic waste by the Environmental Protection Agency and/or the Minnesota Pollution Control Agency.

At this time, Ms. Neeley, Ms. Beaudoin, Ms. Aytay, and Mr. Simko, from Walgreens, again appeared before the Board to present and discuss the variances identified as being needed to obtain approval of the proposed pilot project presented to the Board earlier this day. After, again, discussing the proposal and some modifications relating to the faxing of prescription orders from the remote site to the central site for the pharmacist to certify, Mr. Tom Dickson moved and Mr. Chuck Cooper seconded that the variances be approved and that the proposed pilot project also be approved for a three-month period of time. The motion passed.

There being no further business to come before the Board, President Kassekert adjourned the meeting at approximately 2:50 p.m.

PRESIDENT	
	EXECUTIVE DIRECTOR